

November 27, 1973

CONGRESSIONAL RECORD — HOUSE

SOMETHING FOR THE ARAB LEADERS TO THINK ABOUT

(Mr. HAYS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I am inclined to agree with the gentleman who just left the well in his analysis of the bill that is to come before the House. I have no intention of voting to turn all of these superpowers over to this President or any President. And while I am on the subject, I think it might be well for somebody to point out to the leaders of the Arab States that they are not being quite as smart as they think they are, and that they are not going to be allowed to eventually bring down the civilization of Western Europe and America, to which they have contributed nothing for 2,000 years.

I had a little chat with an Ambassador from one of those countries the other day, and he said, "You wouldn't dare invade us." I said, "Why not?" He said, "The Russians would come to our rescue." I said, "Well, they did not come to the rescue when Khrushchev was the top man in the Communist world when Eisenhower sent Marines into Lebanon, and that is a lot closer to Russia than your country."

Then he went on to say that, "You have got to make the Israeli do this, and do that, and if you do not we will have to shut off your oil." Well, that remains to be seen. These potentates and dictators down there have only three things that they are really interested in and that is their air-conditioned Cadillacs, their air-conditioned palaces, and their air-conditioned harems. You know, the welfare of the majority of the people of the world might come ahead of those priorities.

WE MUST IMMEDIATELY OPEN NAVAL OIL RESERVES

(Mr. KETCHUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KETCHUM. Mr. Speaker, I rise to suggest in the strongest terms possible the immediate opening of the Naval Petroleum Reserve at Elk Hills and the post haste development of Naval Reserve No. 4 on the North Slope of Alaska.

Prior to the Arab embargo and the cut-off of fleet resupply in Singapore, the military was drawing 350,000 barrels per day from domestic sources and 350,000 barrels per day from foreign sources. Today all but a small amount must come from domestic sources. No one denies or should deny that our Armed Forces must be supplied on a No. 1 priority basis. This, Mr. Speaker, is what oil reserves are all about. The 180,000 barrels per day from Elk Hills would be a great help now. Orders have gone out to all domestic refiners to establish a priority for the military of 800,000,000 gallons of all types of fuel. The need is great, the time is now. Mr. Speaker, I respectfully request your immediate attention and that of the distinguished chairman of the Armed Services

Committee to act now to open Elk Hills at least for military supply.

UNIFORM SPEED LIMITS FOR ALL VEHICLES

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, the administration proposal that the lumbering giants of the highway—buses and trucks—be permitted 55-mile-an-hour speed while automobiles are limited to 50 should be rejected by the Congress.

Whatever limit is established should apply uniformly to all vehicles.

No doubt some engines perform more efficiently at higher speed than do others, but this can be said of automobile engines as well as truck and bus engines.

The efficiency gain-loss involved in 5 miles an hour can hardly justify the other hazards that could occur if the double standard in highway speeds is attempted.

Trucks and buses would forever be passing automobiles, and this would create horrendous hazards especially on narrow two-lane pavements. Moreover, the outrage every automobile driver will inevitably feel as the big vehicles roar past will introduce the greatest hazard of all.

Several State Governors have already seen the danger and absurdity of the double standard and so should the Congress.

I AM CONCERNED

(Mr. DENHOLM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENHOLM. Mr. Speaker, I am concerned. I am in doubt—but I refuse to accept "fear" as a foundation to build upon the future.

I am concerned because I am an American. I am in doubt because as an American I do not want to be deceived—I want to believe and I have faith in ourselves as Americans.

I concur with the President in the objective of "Project Independence" but I refuse to believe that America cannot achieve that goal prior to 1980.

I am certain "independence" never was—cannot now and never will be achieved by slowing down, turning down the heat, shutting off the lights, and getting into bed. In the short run or in the long run—that purported leadership is negative. It is not the high road of conquest over challenge—any challenge worthy of our best effort. I respectfully submit it is but a recognition of the problem—totally void of reasonable solutions to the deficiency of the supply of heating fuels, gasoline, petroleum, and petroleum products.

I am concerned for the security of America. I am concerned because negative leadership may invite an unprovoked attack from any "would be aggressor" that is ignorant of our real capacity of performance on land in the air, and on the seas.

APPOINTMENT OF CONFEREES ON H.R. 9256, TO INCREASE CONTRIBUTION OF GOVERNMENT TO COSTS OF HEALTH BENEFITS FOR FEDERAL EMPLOYEES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9256), to increase the contribution of the Government to the costs of health benefits for Federal employees, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. DULSKI, HENDERSON, WALDIE, GROSS, and HOGAN.

ADMINISTRATION OF LEAVE SYSTEM FOR FEDERAL EMPLOYEES

Mr. WALDIE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1284) to amend title 5, United States Code, to improve the administration of the leave system for Federal employees, with Senate amendments thereto, concur in Senate amendments Nos. 1 through 7, and concur in Senate amendment No. 8 with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 22, strike out "subsections (b) and (d)" and insert "subsections (b), (d), and (e)".

Page 2, line 24, strike out "subsection:" and insert "subsections:".

Page 3, line 3, strike out "such" and insert "the".

Page 3, line 6, strike out "such" and insert "the".

Page 3, line 8, strike out "such" and insert "the".

Page 3, line 21, strike out "title." and insert "title".

Page 3, after line 21, insert:

"(e) Annual leave otherwise accruable after June 30, 1960, which is lost by operation of this section because of administrative error and which is not credited under subsection (d) (2) of this section because the employee is separated before the error is discovered, is subject to credit and liquidation by lump-sum payment only if a claim therefor is filed within 3 years immediately following the date of discovery of the error. Payment shall be made by the agency of employment when the lump-sum payment provisions of section 5561 of this title last became applicable to the employee at the salary rate in effect on the date of the lump-sum provisions became applicable."

Page 5, strike out all after line 20 over to and including line 5 on page 6 and insert:

Sec. 7. (a) Section 5562(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentences: "Notwithstanding other statutes, an employee in a missing status on or after January 1, 1965, is entitled—

"(1) to payment for annual leave which accrued to his account on or after January 1, 1965, but which was forfeited under section 6304 of this title because he was unable to use that leave by virtue of his missing status; or

"(2) to have all of that accrued leave credited to his account for use. An employee shall make a election in writing, within 90 days after the date of enactment of his sen-

tenco or 90 days immediately following the termination of that missing status, whichever is later, whether he desires that payment or credit. Payment under clause (1) of his subsection shall be at the employee's rate of basic pay in effect on the first day the employee could have made the election."

(b) The amendment made by subsection (a) shall apply to former employees or their beneficiaries.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, we can act on this if the gentleman will explain briefly the nature of the amendments and the necessity for the amendments.

Mr. WALDIE. Mr. Speaker, Senate amendment No. 8 amends section 7 of the House bill, relating to leave lost by employees in a missing status.

The Senate amendment would permit such employees the option of accepting a lump-sum payment for the accrued leave or having such leave credited to their accounts for future use. The House bill authorized only payment for such leave.

The amendment I am offering would make two minor changes in the language of the Senate amendment.

First, my amendment would provide that any leave restored to the employee for future use shall be credited to a separate leave account in accordance with the provisions of section 6304(d) (2) of title 5, United States Code, as amended by H.R. 1284.

The effect of this change is to assure that such restored leave is not commingled with the annual leave currently earned by the employee and to require that the use of such restored leave be administered in accordance with regulations to be prescribed by the Civil Service Commission under section 6304(d) (2).

In addition, my amendment would provide that the lump-sum payment for any leave forfeited by an employee in a missing status shall be based on the employee's rate of pay in effect at the time the leave was forfeited. The Senate amendment provides that such payment shall be based on the rate of pay in effect at the time the employee elects to receive the payment.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection and urge the adoption of the bill, as amended.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MOTION OFFERED BY MR. WALDIE

Mr. WALDIE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WALDIE moves that the House concur in Senate amendments Nos. 1 through 7, and concur in Senate amendment No. 8 with an amendment, as follows:

In lieu of the matter proposed to be inserted by Senate-engrossed Amendment No. 8 insert the following:

SEC. 7. (a) Section 5562(a) of title 5, United States Code, is amended by adding at the end thereof the following new sentences: "Notwithstanding any other provision of law, an employee in a missing status on or after January 1, 1965, is entitled—

"(1) to payment for annual leave which accrued to his account on or after January 1, 1965, but which was forfeited under section 6304 of this title because he was unable to use that leave by virtue of his missing status; or

"(2) to have all of that leave restored to him and credited to a separate leave account in accordance with the provisions of section 6304(d) (2) of this title.

An employee shall elect in writing, within 90 days immediately following the date of enactment of this sentence or within 90 days immediately following the termination of his missing status, whichever is later, whether he desires payment for the leave under clause (1) of this subsection or credit of the leave under clause (2) of this subsection. Payment under clause (1) of this subsection shall be at the employee's rate of basic pay in effect at the time the leave was forfeited."

(b) The amendment made by subsection (a) of this section shall apply to former employees or their beneficiaries.

The motion was agreed to.

A motion to reconsider was laid on the table.

MAKING TECHNICAL CORRECTION IN ENROLLMENT OF H.R. 1284, LEAVE SYSTEM FOR FEDERAL EMPLOYEES

Mr. WALDIE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 381) authorizing the Clerk of the House to make a technical correction in the enrollment of H.R. 1284.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 381

Concurrent resolution authorizing the Clerk of the House to make a technical correction in the enrollment of H.R. 1284

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 1284 entitled "An Act to amend title 5, United States Code, to improve the administration of the leave system for Federal employees", the Clerk of the House of Representatives is authorized and directed to make the following additional change in the provisions of such bill: On page 3, line 12, of the House engrossed bill, insert "or under clause (2) of section 5562(a) of this title," immediately after the word "subsection".

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AMERICAN REVOLUTION BICENTENNIAL ADMINISTRATION

Mr. DONOHUE. Mr. Speaker, I call up the conference report on the bill (H.R. 7446) to establish the American Revolution Bicentennial Administration, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 14, 1973.)

Mr. DONOHUE (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(Mr. DONOHUE asked and was given permission to revise and extend his remarks.)

Mr. DONOHUE. Mr. Speaker, I yield myself such time as I might consume.

The conference report on the bill H.R. 7446 represents a final step in the efforts of the Congress to provide a logical and workable organization to carry forward the planning and direction of the Nation's bicentennial observance on the Federal level. The basic form of the bill as it passed both Houses was worked out over weeks of effort in committee in the early part of this year.

The Senate amended the bill, and embodied those changes in six amendments. The first amendment amended section 4 of the bill. This is the section defining the functions of the new American Revolution Bicentennial Administration and responsibilities of the Administrator. The amendment provided that, in preparing the administration's plans and programs, the Administrator is to give due consideration to any related plans and programs developed by State, local, and private groups. It is further provided that he may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

The conferees agreed to the language of this amendment amending section 4 of H.R. 7446. This language is consistent with the basic principle of the legislation in encouraging State and local participation in the bicentennial observance.

The second amendment of the Senate amended section 7(a) (1) of the House bill by placing a ceiling of \$10,000,000 annually for the expenses of the administration. It further provided language which would have continued a program for annual grants to each of the States and territories of \$45,000 a year which had been provided for 2 years in the existing law. This would have been accomplished by providing that not more than \$2,475,000 for annual grants of \$45,000 to the Bicentennial Commission of each State, Territory, the District of Columbia and the Commonwealth of Puerto Rico. This provision for the \$45,000 grants was contained in a parallel amendment to section 9 of the bill which authorized the Administrator to make equal grants from appropriated funds of not more than \$45,000 to each of the recipients.

The conferees agreed to reduce the \$45,000 figure to \$25,000 per entity and the annual authorization for this grant program to \$1,375,000. These grants would only be made to State Bicentennial Commissions for use in Bicentennial activities in accordance with regulations of the Bicentennial Administration.

Section 7(a) (2) as added by the Senate